

1 The Court notes that no party has requested that fact discovery end, or that expert
2 disclosures take place, prior to a decision on the issue of class certification. The Court therefore
3 does not address those topics in this order.

4 The Defendants request that the Court initially limit bifurcate (or trifurcate) discovery, so
5 that discovery would proceed initially only as to the issue of “absolute and qualified immunity.”
6 ECF No. 31 at 5. Defendants also request that the Court allow the filing of a motion for summary
7 judgment on the issue of immunity, and then another on the question of liability, before the Court
8 reaches the question of class certification. Id. at 8.

9 The Court recognizes that “[w]here the defendant seeks qualified immunity, a ruling on
10 that issue should be made early in the proceedings so that the costs and expenses of trial are
11 avoided where the defense is dispositive.” Conner v. Heiman, 672 F.3d 1126, 1130-31 (9th Cir.
12 2012) (quoting Saucier v. Katz, 533 U.S. 194, 200, 121 S.Ct. 2151, 150 L.Ed.2d 272 (2001),
13 overruled in part on other grounds by *1131 Pearson v. Callahan, 555 U.S. 223, 129 S.Ct. 808,
14 172 L.Ed.2d 565 (2009)); Turner v. Craig, No. C 09-03652 SI, 2011 WL 2600648, at *6 (N.D.
15 Cal. June 30, 2011) aff'd, 510 F. App'x 587 (9th Cir. 2013). Accordingly, the Court will permit
16 the Defendants to file a separate motion solely on the issue of immunity, which motion shall not
17 count against the undersigned’s presumptive limit of one summary judgment motion. See
18 Standing Order for All Civil Cases Before District Judge Jon S. Tigar at 2 (“Absent good cause,
19 the Court will consider only one motion for summary judgment per party.”). That motion may be
20 filed at any time that is at least 110 days before trial. The Court will not, however, bifurcate
21 discovery.

22 Counsel may not modify these dates without leave of court. The parties shall comply with
23 the Court’s standing orders, which are available at cand.uscourts.gov/jstorders.

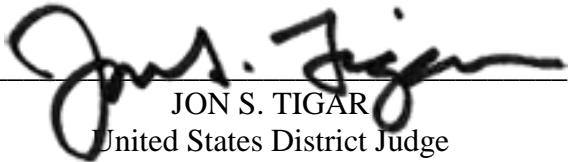
24 The parties must take all necessary steps to conduct discovery, compel discovery, hire
25 counsel, retain experts, and manage their calendars so that they can complete discovery in a timely
26 manner and appear at trial on the noticed and scheduled dates. All counsel must arrange their
27 calendars to accommodate these dates, or arrange to substitute or associate in counsel who can.
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1 Dates set by this Court should be regarded as firm. Requests for continuance are
2 disfavored. The Court will not consider the pendency of settlement discussions as good cause to
3 grant a continuance.

4 IT IS SO ORDERED.

5 Dated: January 27, 2016

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JON S. TIGAR
United States District Judge